

ASSEMBLY BILL

No. 87

Introduced by Assembly Member Bermudez

January 6, 2005

An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 87, as introduced, Bermudez. Trapping licenses: exemptions.

Existing law requires every person, other than a fur dealer, who traps fur-bearing mammals or nongame mammals, designated by the Fish and Game Commission or who sells raw furs of those mammals, to procure a trapping license from the Department of Fish and Game.

Existing law provides for the licensing by the Structural Pest Control Board of individuals who practice structural pest control. Existing law also provides for the licensing by the Department of Pesticide Regulation of various persons and businesses who apply pesticides.

This bill would exempt a structural pest control operator licensed by the Structural Pest Control Board and a person or business licensed or certified by the Department of Pesticide Regulation from the licensing requirement for trapping mammals, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4005 of the Fish and Game Code is
- 2 amended to read:

1 4005. (a) Except as otherwise provided in this section, every
2 person, other than a fur dealer, who traps fur-bearing mammals
3 or nongame mammals, designated by the commission or who
4 sells raw furs of those mammals, shall procure a trapping license.
5 “Raw fur” means any fur, pelt, or skin that has not been tanned or
6 cured, except that salt-cured or sun-cured pelts are raw furs.

7 (b) The department shall develop standards that are necessary
8 to ensure the competence and proficiency of applicants for a
9 trapping license. No person shall be issued a license until he or
10 she has passed a test of his or her knowledge and skill in this
11 field.

12 (c) Persons trapping mammals in accordance with Section
13 4152 or 4180 are not required to procure a trapping license
14 except when providing trapping services for profit.

15 (d) No raw furs taken by persons providing trapping services
16 for profit may be sold.

17 (e) *The license requirement imposed by this section does not*
18 *apply to any of the following:*

19 (1) Officers or employees of federal, county, or city agencies
20 or the department, when acting in their official capacities, or
21 officers or employees of the Department of Food and Agriculture
22 when acting pursuant to the Food and Agricultural Code
23 pertaining to pests or pursuant to Article 6 (commencing with
24 Section 6021) of Chapter 9 of Part 1 of Division 4 of the Food
25 and Agricultural Code, ~~are exempt from the license requirement~~
26 ~~of this section.~~

27 (2) *Structural pest control operators licensed pursuant to*
28 *Chapter 14 (commencing with Section 8500) of Division 3 of the*
29 *Business and Professions Code.*

30 (3) *Persons and businesses licensed or certified by the*
31 *Department of Pesticide Regulation pursuant to Chapter 4*
32 *(commencing with Section 11701) and Chapter 8 (commencing*
33 *with Section 12201) of Division 6 of, and Chapter 3.6*
34 *(commencing with Section 14151) of Division 7 of, the Food and*
35 *Agricultural Code.*